

### **REMARKS**

In response to the Office Action mailed July 17, 2009, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-6 were previously pending in this application. Claims 1-4 and 6 are amended. No claims are added or cancelled. As a result, claims 1-6 remain pending for examination, with claims 1 and 6 being independent. No new matter has been added.

### **Claim Objections**

The Office Action objects to claim 1 for purported informalities. Specifically, the Office Action contends that the limitation "... said vibration detecting means sustains over *a* duration of time not shorter than the predetermined duration" should read "... said vibration detecting means sustains over *the* duration of time not shorter than the predetermined duration," to provide correct antecedent basis.

As there is no reference to a duration in claim 1 prior to the quoted limitation, Applicant respectfully submits that no amendment is needed to provide correct antecedent basis. In addition, the objection to claim 1 is rendered moot by other amendments presented herein. Specifically, amended claim 1 includes limitations directed to modifying a display mode of information when vibration of not smaller than a predetermined level sustains over a period of time not shorter than a predetermined duration of positive length.

As amended claim 1 is believed to provide correct antecedent basis where necessary, Applicant respectfully requests withdrawal of the objection to claim 1.

Claim Rejections Under 35 U.S.C. §102

Each of independent claims 1 and 6 is rejected under 35 U.S.C. §102(b) as purportedly being anticipated by Japanese Patent No. 406083296 to Aoyanagi ("Aoyanagi"). As presented herein, each of independent claims 1 and 6 patentably distinguishes over Aoyanagi.

Each of amended claims 1 and 6 includes limitations directed to modifying a display mode of information from a first display mode to a second display mode when vibration of not smaller than a predetermined level sustains over a period of time not shorter than a predetermined duration of positive length, and when output of a detection output signal sustains over the same period. The display mode of the information is modified from the second display mode to the first display mode when an absence of output of the detection output signal not smaller than the predetermined level is determined over a period of time not shorter than a predetermined duration of positive length.

Support for the amendments to each of claims 1 and 6 may be found in Applicants' specification at, for example, p. 26, lines 2-30.

Aoyanagi fails to satisfy all of the limitations recited by either of amended claims 1 or 6. For example, Aoyanagi does not disclose or suggest modifying a display mode of information from a first display mode to a second display mode when both a vibration of not smaller than a predetermined level and output of a detection output signal sustain over the same period. Rather, Aoyanagi discloses an on-vehicle video display device in which the position of a graphic display is moved in a direction opposite to that in which displacement (e.g., caused by vehicle vibration) is detected, so as to negate the displacement (§[0006]). The device compares the position of the graphic display on a frame-by-frame basis to identify whether displacement has occurred, and if so, how much (§[0008]). When displacement is detected, the display's position on the device is shifted along the x and/or y axes to offset the displacement (§[0009]). As the only measurement which triggers correction in the system of Aoyanagi is the detection of displacement as a result of vibration, Aoyanagi fails to satisfy the limitations recited by each of claims 1 and 6 directed to modifying a display mode of information when both a vibration of not smaller than a predetermined level and output of a detection output signal sustain over the same period.

In addition, Aoyanagi simply says nothing at all about modifying the display mode from the second display mode back to the first display mode when an absence of output of the detection output signal is detected over a period of time not shorter than a predetermined duration of positive length.

Because Aoyanagi fails to satisfy either of the limitations discussed above recited by each of claims 1 and 6, each of these claims patentably distinguishes over Aoyanagi. As a result, the rejection of these claims, and of claims 2-5 which depend from claim 1, under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1459.70115US00 from which the undersigned is authorized to draw.

Dated: 10-13-09

Respectfully submitted,

By Randy J. Pritzker  
Randy J. Pritzker  
Registration No.: 35,986  
WOLF, GREENFIELD & SACKS, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
617.646.8000